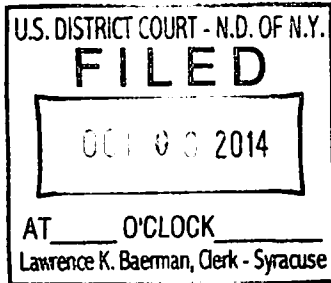


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

**STEPHEN M. HOWELLS II and
NICOLE F. VAISEY,**



Defendants.

) Criminal No. 5:14-CR-340 (GTS)
)
) **Superseding Indictment**
)
) Violations: 18 U.S.C. § 2251(a) and (e)
) [Conspiracy to Sexually
) Exploit Children];
) 18 U.S.C. § 2251(a)
) [Sexual Exploitation of
) Children];
) 18 U.S.C. § 2252A(a)(5)(B)
) [Possession of Child
) Pornography]
) 21 Counts
)
) County of Offense: St. Lawrence

THE GRAND JURY CHARGES:

COUNT 1

[Conspiracy to Sexually Exploit Children]

From in or about September 2013 through on or about August 15, 2014, in St. Lawrence County in the Northern District of New York, defendants **STEPHEN M. HOWELLS II** and **NICOLE F. VAISEY** conspired to employ, use, persuade, induce, entice, and coerce minors, including V-1, V-2, V-3, and V-6, female children born between 2002 and 2007, whose identities are known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNTS 2 THROUGH 10
[Sexual Exploitation of Children]

On or about the dates listed below, in St. Lawrence County in the Northern District of New York, defendants **STEPHEN M. HOWELLS II** and **NICOLE F. VAISEY** did employ, use, persuade, induce, entice, and coerce the minors listed below, whose identities are known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).

Count	Date	Victim
2	September 7, 2013	V-3, a female child born in 2006
3	October 20, 2013	V-3, a female child born in 2006
4	November 16, 2013	V-3, a female child born in 2006
5	November 17, 2013	V-6, a female child born in 2003
6	December 15, 2013	V-6, a female child born in 2003
7	December 29, 2013	V-3, a female child born in 2006
8	April 18, 2014	V-3, a female child born in 2006
9	May 31, 2014	V-3, a female child born in 2006
10	August 13, 2014	V-1, a female child born in 2002

COUNTS 11 THROUGH 16
[Sexual Exploitation of Children]

On or about the dates listed below, in St. Lawrence County in the Northern District of New York, defendant **STEPHEN M. HOWELLS II** did employ, use, persuade, induce, entice, and coerce the minors listed below, whose identities are known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, where the visual depictions were produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).

Count	Date	Victim(s)
11	December 16, 2012	V-4, a female child born in 2004
12	September 22, 2013	V-3, a female child born in 2006; V-5, a female child born in 2008; and V-6, a female child born in 2003
13	November 16, 2013	V-5, a female child born in 2008
14	December 13, 2013	V-5, a female child born in 2008; and V-6, a female child born in 2003
15	January 24, 2014	V-3, a female child born in 2006
16	April 19, 2014	V-3, a female child born in 2006

COUNTS 17 THROUGH 21
[Possession of Child Pornography]

On or about August 15, 2014, in St. Lawrence County, in the Northern District of New York, defendant **STEPHEN M. HOWELLS II** did knowingly possess material that contained one or more images of child pornography that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is, the computer hard drives described below, each of which contained numerous graphic image and video files of minors engaged in sexually explicit conduct, in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2256(8)(A).

Each violation involved images of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

Count	Material Containing Images of Child Pornography
17	A 500GB Seagate hard drive, S/N 5QM11ZRR
18	A 1.0 TB Western Digital hard drive, S/N WMATV8440832
19	A 500GB Western Digital hard drive, S/N WCAPW2257346
20	A 300GB Seagate hard drive, S/N 5NF133W0
21	A 3000GB Seagate hard drive, S/N W1F23A2C

FORFEITURE ALLEGATION

The allegations contained in Counts 1 through 21 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of the charges alleged in Counts 1 through 21, the defendants, **STEPHEN M. HOWELLS II and NICOLE F. VAISEY**, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251 and 2252A (incorporating the definition of child pornography in 18 U.S.C. §2256(8)), or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense, and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense; including, but not limited to:
 - 1) A 2004 red Pontiac, Sunfire, NY registration GCR6443;
 - 2) A 2001 white Honda, Civic, NY registration BVZ9284;
 - 3) An Antec homemade desktop computer with no serial number, containing five hard drives:
 - a) one 500GB Seagate hard drive, S/N 5QM11ZRR;
 - b) one 1.0 TB Western Digital hard drive, S/N WMATV8440832;
 - c) one 500GB Western Digital hard drive, S/N WCAPW2257346;
 - d) one 300GB Seagate hard drive, S/N 5NF133W0; and
 - e) one 3000GB Seagate hard drive, S/N W1F23A2C;

- 4) A Canon G7 Digital camera S/N #3221205452;
- 5) An iPhone model #A1349, EMC#2422, FCC ID: BCG-E2422B; and
- 6) An iPhone model #A1387, IC# 579C-E2430A, FCC ID: BCG-E2430A.

If any of the property described above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party,
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853 (p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).


Dated: October 8, 2014

A TRUE BILL, *Name Redacted*

Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:


Lisa M. Fletcher
Assistant United States Attorney
Bar Roll No. 510187